

HARRIS D. LEINWAND, ESQ.

315 Madison Avenue Suite 901

New York, New York 10017

Tel: (212) 725-7338

Attorneys for Ahaus Tool & Engineering Inc.

Hearing Date: February 17, 2011 10:00 a.m.

Objection Due: February 3, 2011 4:00 p.m.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:
	: Chapter 11
DELPHI CORPORATION, <u>et al.</u> ,	: Case No. 05-44481 (RDD)
	: Jointly Administered
Debtors,	:
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	:
DELPHI CORPORATION, et al.,	: Adv. Pro. No. 07-02076 (RDD)
	:
Plaintiffs,	:
	:
- against -	:
	:
	:
AHAUS TOOL & ENGINEERING INC.	:
	:
Defendant.	:
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JOINDER OF AHAUS TOOL & ENGINEERING INC. TO MOTIONS SEEKING AN ORDER (I) PURSUANT TO FED. R. CIV. P. 4(m) AND 60 (b)(1) AND FED. R. BANKR. P. 7004(a) AND 9006(b)(1), VACATING PRIOR ORDER EXTENDING DEADLINE TO SERVE PROCESS, THE FOURTH EXTENSION ORDER (DOCKET NO. 18999)

AHAUS TOOL & ENGINEERING INC., (“Ahaus”) by its undersigned counsel, hereby joins in and adopts the arguments set forth in the following motion (the “Motion”) filed by ATS Automatic Tolling Systems, Inc. (the “Moving Preference Defendant”) (docket nos. 20699 and 20700):

MOTION BY ATS AUTOMATIC TOLLING SYSTEMS, INC. FOR AN ORDER (I) PURSUANT TO FED. R. CIV. P. 4(m) AND 60 (b)(1) AND FED. R. BANKR. P. 7004(a) AND 9006(b)(1), VACATING PRIOR ORDER EXTENDING DEADLINE TO SERVE PROCESS, THE FOURTH EXTENSION ORDER (DOCKET NO. 18999)

The facts set out in the Motion are substantially similar to the relevant facts with respect to Ahaus so that any relief granted for the benefit of the Moving Preference Defendant should be

granted to Ahaus. Ahaus served and filed a motion to vacate orders and dismiss the complaint on or about February 25, 2010 in its adversary proceeding (07-02076). It filed a joinder on or about May 10, 2010 to the First Wave Dismissal Motions and a joinder and declaration of Kevin Ahaus on or about July 2, 2010 to replies to the Debtors' answer to the First Wave Dismissal Motions and declarations which it incorporates herein. Ahaus also adopts the arguments made at the hearing on or about July 22, 2010 on the First Wave Dismissal Motions. Ahaus had no notice or knowledge of the Service Extension Orders until it was served with a summons and complaint in late December, 2009. Even then it was not served with all of the Service Extension Orders although required service along with the summons and complaint. Ahaus was not served with particularized notice as required by the case management order. It was not given notice of the Service Extension Orders although the motions for the Service Extension Orders say it was and this was stated at the hearings on the Service Extension Orders. The papers referred to above set forth additional facts and arguments which provide additional reasons why the relief sought in the Motion should be granted to Ahaus. This joinder is filed merely as a protective measure in case Fed. R. Civ. P. 60 (b)(1) adding surprise, inter alia, adds a ground for relief besides Ahaus' other grounds for relief.

Dated: New York, New York
October 22, 2010

HARRIS D. LEINWAND, ESQ.
Attorney for Defendant Ahaus Tool & Engineering Inc.

/S/
Harris D. Leinwand, Esq. (HL-4419)
315 Madison Avenue - Suite 901
New York, NY 10017
Telephone: (212) 725-7338